

FILED

07 OCT 11 PM 12:07
 UNITED STATES DISTRICT COURT
 CLERK, U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

BY: 

No.

'07 MJ 24 35

v.

JOE VANG,

Defendant.

COMPLAINT FOR VIOLATION OF

21 U.S.C. 841(a)(1) – Possession with
 Intent to Distribute Methamphetamine;
 18 USC 924(c) – Possession of a Firearm
 in Furtherance of a Drug Trafficking
 Crime

The complainant being duly sworn states that:

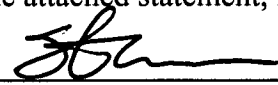
Count 1

On or about October 6, 2007, in the Southern District of California, defendant JOE VANG knowingly possessed with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1).

Count 2

On or about October 6, 2007, in the Southern District of California, defendant JOE VANG, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, possession with intent to distribute methamphetamine, the crime charged in Count 1 of this complaint, knowingly possessed a firearm, in violation of Title 18, United States Code, Section 924(c)(1).

This complaint is based on the attached statement, incorporated herein.


 STEVE Y. KIM, Special Agent
 Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me on October 11, 2007.


 UNITED STATES MAGISTRATE JUDGE

STATEMENT OF FACTS

1. I am a special agent with the Federal Bureau of Investigation and have been so employed for about 10 years. I am currently assigned to the San Diego field division and detailed to the San Diego Violent Crimes Task Force. The following is based on my own investigation and a review of reports by the San Diego Police Department.

2. On 10/6/07, at about 10:15 pm, a San Diego police officer in plain clothes saw two individuals exit a residence at 7002 Mohawk Street, San Diego, California and enter a gold Mercedes Benz parked in the driveway. The Mercedes departed. At the intersection of 70th Street and Mohawk, it failed to stop at a stop sign. A marked unit stopped the Mercedes as it pulled into a gas station on 70th Street.

3. Officers contacted the female driver and male passenger, who provided identification in the name Khoi Dang Pham. An officer recognized the male as Joe Vang, a documented member of the Tiny Oriental Crips for whom there was an outstanding warrant for parole violations. The officer handcuffed Vang, removed him from the car, and searched him. Inside Vang's shirt pocket, the officer found two bags containing about 4.2 grams of methamphetamine. The officer also found about \$930 in U.S. currency from Vang's person. On the passenger seat where Vang had been seated was a wallet with no identification and \$2012 in U.S. currency. A folding knife was found in a compartment on the passenger side door.

4. The female driver was removed from the vehicle. A loaded .380 caliber handgun was found in her waistband.

5. A detective advised Vang of his Miranda rights. Vang said he did not want to talk. Later, Vang asked to speak with a different officer. The second officer confirmed with Vang that he had been advised of his Miranda rights and knew he need not speak. Vang said he understood and indicated he would rather speak to the second officer because he did not get along with the detective. The second officer indicated he would advise Vang of his rights again in an abundance of caution. Vang said he knew his rights, then stated that he slid the gun to the female as they were stopped, because she would not get in as much trouble. Vang said he loved the female for taking the gun, but it was "fucked up" for her to get in trouble for it. Vang said he purchased the gun from a "white boy" two weeks earlier for \$200. Vang said a shotgun in the closet of the room he shared with the female did not belong to him. Vang said he may have touched the shotgun, but he never fired it. He did not respond when asked if he was holding the shotgun for someone.

6. Officers obtained and served a search warrant at 7002 Mohawk Street. Immediately outside one bedroom officers found paperwork bearing the names of the female driver and "Khoi Dang Pham," the alias used by Vang. Inside the room, officers found a parole card for Vang. Officers also found a safe in the room. Inside the safe were two guns, ammunition and magazines, and about 110 grams of methamphetamine. In a closet in the room, officers found a sawed-off shotgun.